

Madhya Pradesh High Court

Rishi Kumar Dubey

vs

Kendriya Jan Suchna Adhikari Vah

... on 25 April, 2012

W.P. No. 6168 Of 2012

25.4.2012

Petitioner present in person.

By present petitioner petitioner seeks quashment of order dated 14th July 2011 passed by Central Information Commissioner; wherein while allowing the appeal preferred by the petitioner, the Commission has directed the respondents to provide information in terms of total numbers in respect of the information sought for by the petitioner from respondent Madhya Bharat Gramin Bank, Damoh/Sagar.

Petitioner, an account holder of respondent Bank filed an application before the Bank under the provisions of Section 6 (1) of Right to Information Act, 2005 for supplying the information regarding Kisan Credit Card issued between the period 200708 to 2009-

10 along with the name of farmers, village, property mortgaged with the details of Khasra numbers, recovery/deposit, if any made, action, if any, taken recourse to. The petitioner also sought information as to how many officers/employees of the Bank are apprehended in the case under the Prevention of Corruption Act, disciplinary action, between the period 1.4.2007 to 18th March 2010 and the information regarding how many cases are dropped without completing the inquiry against employees and officers. The petitioner was informed by order dated 13.4.2010 that the information sought for by him cannot be given for the reason that they fall in the category of exempted information under Section 8 (1) (j) of 2005 Act. The said clause provides for:

"8. Exemption from disclosure of information. -
(1) Notwithstanding anything contained in this Act, there shall be no obligation to give any citizen.

(j)
information which relates to personal information the disclosure of which has not rela

relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual unless the Central Public Information Officer or the State Public Information Officer or the appellate authority, as the case may be, is satisfied that the larger public interest justifies the disclosure of such information.

Provided that the information, which cannot be denied to the Parliament or a State Legislature shall not be denied to any person".

Aggrieved the petitioner preferred an appeal before General Manager (Administration) Madhya Bharat Gramin Bank, Sagar. The appellate authority vide order dated 7.6.2010 uphold the order passed by the Public Information Officer of refusing to disseminate the information sought for by the petitioner; where against petitioner preferred an appeal before the Central Information Commission. The Commission vide impugned order dated 14th July 2011 ordered the respondents to provide information in terms of total numbers in respect of information sought for by the petitioner vide his application under Section 6 (1) of 2005 Act. In furtherance whereof by communication dated 6.8.2011 the petitioner was informed:

" vkids }kjk lwpuk dk vf/kdkj vf/kfu;e 2005 dh /kkjk 2005 dh /kkjk 19 ds varxZr ekuuh; dsUnzh; eq[; lwpuk vk;qDr ubZ fnYyh dks izLrqr f}rh; vihy fnukad 08-09-10 ij ohfM;ks dkUQzsflax ds ek;/e ls fnukad 14-07-2011 dks lquokbZ ds nkSjku vkids }kjk okafNr foLr`r O;fDrxr tkudkjh ds LFkku ij mDr tkudkjh dk lkjka'k miyC/k djkus ckor~ funsZf'kr fd;k x;k gSA vr% ekuuh; dsUnzh; eq[; lwpuk vk;qDr ubZ fnYyh ds funsZ'kkuqlkj okafNr tkudkjh fuEu izdkj gS%& 1- gekjh cjk;Bk 'kk[kk }kjk foRrh; o"kZ 2007&08 esa 53 ,oa foRrh; o"kZ 2009&10 esa 90 fdIkuksa dks fdIku dzsMv dkMZ varxZr cSad }kjk __.k iznku fd;k x;kA

2- fnukad 01-04-07 ls 18-04-10 izkIr f'kdk;rksa dh la[;k 6 gSA

3- IHkh f'kdk;rksa dh tkap dj;k;h x;hA

4- orZeku esa mijksDr esa ls dksbZ Hkh ekeyk yfEcr ugha gSA d`i;k mijksDr tkudkjh izkfIr dh lwpuk nsA"

The petitioner is still aggrieved by the order passed by Central Information Commission. It is urged that the order passed by the Commission be set aside and the respondent Bank be directed to furnish entire details as were sought for by the petitioner vide application under Section 6 (1) of the 2005 Act. After considering the submissions put forth by petitioner, who is an Advocate and appeared in person and taki

ng into consideration the stipulations contained under Section 8 (1) (j) of 2005 Act , which prohibits giving of information which relates to personal information, disclosure of which has not relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual, no relief can be granted to the petitioner.

In the result petition fails and is hereby dismissed.

(SANJAY YADAV)

JUDGE